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BUILDING ON PARTNERSHIPS FOR PROACTIVE ADVOCACY

The Environmental Services Committee recommends the adoption of the recommendation contained in the following report dated January 26, 2012, from the Commissioner of Environmental Services.

1. RECOMMENDATION

It is recommended that Council receive this report for information.

2. PURPOSE

This report highlights advocacy activities in the Environmental Services Department which demonstrate the Department's proactive and collaborative approach to advocacy throughout 2011, as well as planned activities for 2012.

3. BACKGROUND

Staff build on productive working relationships with the Province, stakeholders and industry associations for targeted proactive advocacy

As previously reported to Council in February 2011, targeted proactive advocacy was identified as a priority program in the Environmental Services Department to maximize investments and ensure sustainable and timely delivery of services. Staff leveraged successful working relationships with the Province, stakeholders and industry associations to ensure the Region's views are considered in development of, or amendment to, policies and legislation, which affect water, wastewater, and waste management service delivery.

Areas addressed by proactive advocacy in 2011 included all facets of environmental protection and service delivery. Staff actively championed the Region's interests on issues such as:

- source water protection
- water conservation and efficiency
- wastewater effluent
- water and wastewater standards and guidelines
- inflow and infiltration
- extended producer responsibility
- energy from waste

- waste generation and diversion
- composting
- hazardous/special waste
- electronic waste
- blue box recycling
- environmental approvals
- sustainable services/asset management
- green energy/energy management
- overall community engagement on environmental issues and challenges facing the Region

Staff continue to build on the communication strategy developed in 2010, which includes tracking policy developments from notification to implementation through the Environmental Bill of Rights Registry, Provincial consultation process.

The remainder of this report serves to highlight staff actively advocating on behalf of the Region on several environmental issues. Staff advocated for better waste management, such as Municipal Hazardous and Special Waste, worked as Regional environmental stewards through implementation of the Lake Simcoe Protection plan, assisted in the process to seek funding to clean up a local contaminated industrial site, raised the profile of Regional water conservation efforts and water efficiency, protected our drinking water through implementation of the *Clean Water Act, 2006*, and implemented change in the management of our wastewater discharges through the Region's Best-in-class Sewer Use Program.

4. ANALYSIS AND OPTIONS

York Region is actively engaged to ensure successful implementation of the Lake Simcoe Protection Plan

In April 2011, staff coordinated with peer municipalities within the Lake Simcoe watershed, including the Town of Bradford West Gwillimbury, Durham Region and the Town of Innisfil, to comment on proposed draft environmental approvals for sewage treatment plants in the watershed. Through efforts with other municipalities and the Ministry of the Environment, staff obtained approval requirements that serve to provide protection of Lake Simcoe and provide meaningful data to the Ministry of the Environment on various parameters in treated effluent.

Appointed by the Minister of the Environment, York Region continues to have representation on the Lake Simcoe Coordination Committee. This Committee reports directly to the Minister on implementation challenges for the Lake Simcoe Protection Plan and provides an opportunity to respond to proposed action plans prior to public

release. Participation on this Committee allows the local municipal context to be considered, which captures the Region's interest and ensures efforts to protect Lake Simcoe are successful.

York Region continues to advocate to senior levels of provincial government to clean up contaminated Thane site

The property at 23078 Warden Avenue, Georgina is owned by Thane Developments Limited (Thane Site), which is no longer in operation. Remaining unprocessed aluminum dross and waste salt slag left by the former secondary aluminum smelter operations have impacted soil and groundwater at the site. York Region staff have been actively involved in the public liaison committee since its inception by the Ministry of the Environment to provide a forum for stakeholder consultation and engagement.

In April 2011, Council adopted a recommendation by the Environmental Services Committee to send a letter to the Premier, Minister of the Environment, and local members of the Provincial Legislature to ask them to address environmental concerns and fund the clean-up of the Thane Site. York Region staff continue to engage the provincial government to work towards a solution for this contaminated site.

York Region is engaged on multiple levels to advance and promote the efficient use of water

York Region is a founding member and one of the directors of the newly formed Canadian Municipal Water Efficiency Network whose objectives include, promoting the development of water use and water efficiency programs, policies and regulations and working collaboratively with water management and water supply organizations, governmental bodies, private corporations, educational institutions, water efficiency organizations, and non-governmental organizations, to advance and promote the efficient use of water.

In partnership with the Region's Planning and Development Services Department, a workshop was held in November 2011 with the Building Industry and Land Development Association (BILD) to provide an update of current initiatives and develop new residential development programs and strategies in the Region to support the Long Term Water Conservation Strategy and other planning initiatives.

York Region staff remain active members of the Ontario Water Works Association water efficiency committee which is dedicated to advancing water use reduction by influencing government policies and promoting water-efficient technologies and practices. Through the committee in 2011, York Region staff participated in the Province of Ontario's Building Code engagement sessions and provided feedback on recommended updates to the Ontario Building Code to further support water efficiency.

In early 2011, York Region staff participated in an engagement session held by the Province of Ontario on proposed Ontario Building Code changes. Comments submitted incorporated concerns brought forward by local municipalities regarding water efficiency. Staff continue to work collaboratively with local municipalities to determine how to proactively deal with challenges associated with using less water.

Practical solutions achieved by direct engagement of York Region in Provincial-Municipal working group for *Clean Water Act, 2006*

With new municipal powers and responsibilities under the *Clean Water Act, 2006* anticipated to be activated in 2013, York Region successfully advocated to the Province the need to create a municipal implementation working group to allow for informal discussions. Six meetings were held throughout 2011 allowing for considerable clarification on regulatory requirements and training. York Region staff participated in the pilot training for Risk Management Officials and Inspectors, which has set the stage for the 5-day mandatory training program across the Province. In addition, the Region co-presented with the Province on challenges and opportunities for implementation of the *Clean Water Act, 2006* at the Ontario Professional Planners Institute annual meeting in Ottawa, Ontario this past October. This engagement model has greatly enhanced municipal and provincial understanding and has created an excellent venue for a coordinated partnership as we chart the many new challenges mandated to municipalities by the *Act*. For example, the use of risk management official to manage drinking water risks is a new regulatory duty for municipalities that has never been used in any Provincial legislation in history.

Partnerships key in developing a “best-in-class” collaborative sewer use program

As a result of consultation with Greater Toronto Area municipalities (Regions of Peel, Durham, Waterloo and Niagara, and the City of Toronto), a best practices matrix was developed. This exercise highlighted several key program improvements for the existing sewer use compliance program, which have been incorporated into the Sewer Use Compliance Program Strategy and will be implemented over the next 5-year period.

Furthermore, the Region has been working with local municipalities to develop an integrated approach to sewer use delivery. Together, Regional and local municipal staff have developed core principles of a collaborative sewer use compliance program along with a framework for program implementation. This work will be leveraged in the development of a priority setting framework and for the end result of a memorandum of understanding with the Region and the local municipalities.

Staff have also began an element of community outreach with the Sewer Use Program by engaging with the National Association of Wastewater Transporters and BILD to discuss matters of receiving hauled waste and banning food waste grinders. Staff will continue to

engage community organizations of this nature to develop and sustain a partnership approach towards the delivery of sustainable sewer use related services.

York Region maintains service levels despite reduced funding from Stewardship Ontario for Municipal Hazardous and Special Waste

In October 2010, the Province cancelled implementation of a consolidated Municipal Hazardous and Special Waste program, following public concern surrounding 'eco-fees' applied to products at point-of-sale. Subsequently, in collaboration with other large municipalities, staff continued to request that the Province and Stewardship Ontario reconsider funding programs supporting proper disposal and recycling methods for Municipal Hazardous and Special Waste.

Stewardship Ontario is taking a step back from previous obligations for Municipal Hazardous and Special Waste materials, which has a direct impact on York Region taxpayers. With York Region's input, the Municipal Waste Association, Association of Municipalities of Ontario and Regional Public Works Commissioners of Ontario wrote a joint letter to both the Minister of the Environment and Waste Diversion Ontario expressing concerns over the revised funding model being offered by Stewardship Ontario. The effect of losing steward funding means all taxpayers assume responsibility for the costs of disposing and recycling Municipal Hazardous and Special Waste, regardless of whether residents use these materials or not. Due to Stewardship Ontario's withdrawal of funding, Council approved an additional \$1.19 million tax levy in 2012 to offset reduced funding and maintain 2011 levels of collection, disposal and recycling services for Municipal Hazardous and Special Waste.

As a result of staff engagement to date, York Region and other municipalities expect to receive updated agreements from Stewardship Ontario that secure funding for collection costs for Phase 1 materials, which include the following:

- Paints and coatings, and the containers in which they are contained
- Solvents, and the containers in which they are contained
- Oil filters – after used for their intended purpose
- Lubricating oil containers with a capacity of 30 litres or less
- Single-use dry cell batteries
- Antifreeze, and the containers in which it is contained
- Pressurized containers (such as propane tanks)
- Fertilizers, herbicides, fungicides, insecticides and pesticides

These agreements are expected to contain some re-negotiated contract terms, such as submission timelines, and renewal and confidentiality clauses. This funding is anticipated to have a favourable impact on a portion of 2012 Regional expenditures for this important program. The Region has submitted all invoices for 2011 to Stewardship Ontario and is awaiting reimbursement.

York Region staff continue to remain actively engaged with Stewardship Ontario, the Province, and the Region's contractors to mitigate any issues that may arise out of changes to Phase 1 funding models.

Staff actively participate in industry conferences to showcase the Region's innovative practices

Several presentations on innovative work being conducted in the Region within the Environmental Services Department have been featured at key industry conferences (Table 1). This provides staff an opportunity to consult and educate industry and stakeholders on the Region's policies and programs. This interaction also provides Regional staff with vital information on ways to improve our policies and service delivery.

Table 1
Industry Presentations

Presentation Topic	Advocacy Area
York Durham Sewage System Interceptor Sewer Tunnel Project	Sustainable Services/Asset Management
Tunnelling is the Tool for Sustaining Aging Infrastructure	Sustainable Services/Asset Management
York Region and Area Municipality Inflow and Infiltration Reduction Pilot Remediation Projects	Inflow and Infiltration
Sewer Use Bylaw Program Redesign for Effective Infrastructure Protection	Industrial Effluent
Sewage Forcemain Inspections and Retrofit for Easier Maintenance	Sustainable Services/Asset Management
Double Pass Filtration vs. Temporary Membrane Filtration	Technology Standards and Guidelines
Ferrate Applications in Drinking Water: Case Study for York Region	Water Quality
How Do You Choose Granular Activated Carbon?	Water Quality
Community Environmental Centre: Contributing to Waste Diversion Goals in York Region	Waste Generation and Diversion
Long Term Water Conservation Strategy, an Emerging Context for Water	Water Conservation and Efficiency
Source Water Protection at York Region	Source Protection
Recommendations for Improving the Environmental Assessment Process	Modernization of Approvals

Staff will continue to implement strategy for proactive advocacy

Proactive advocacy continues to be a priority area in the Environmental Services Department 2012 Performance Plan. Staff will strategize towards better coordination of departmental advocacy activities to ensure continuous improvement. Particular areas of advocacy for 2012 include, working with the Province on source water protection planning, review of the *Waste Diversion Act, 2002* and composting guidelines, water conservation and efficiency, modernization of environmental approvals and community outreach.

Active advocacy and collaborative work will continue in the area of source water protection to develop a sustainable risk management approach with the Province and a clearly defined implementation plan with the local municipalities.

Long term vision and goals will be finalized for the Integrated Waste Management Master Plan. A component of the master plan includes an advocacy strategy to identify future areas of engagement in creating/influencing the desired future waste management system in the Region and beyond.

Staff will continue to engage and consult with stakeholders to ensure the successful implementation of the Long Term Water Conservation Strategy and achieve further results in water conservation and efficiency. Work will also commence on a Value of Water Campaign, which supports full cost recovery conservation oriented pricing as identified in the Strategy.

Outreach to new Canadians and community groups will also be planned to promote our services, drive water conservation, waste reduction and environmental stewardship.

Link to Key Council-approved Plans

Proactive advocacy across the Environmental Services Department aligns with the Region's strategic priority of continuing to deliver and sustain critical infrastructure. Collaborative efforts on a number of issues enable staff to partner with all levels of government to facilitate the delivery of environmentally sustainable infrastructure. The work in water conservation and efficiency achieves the objective of identifying and leveraging capacity available in existing infrastructure to complete the build out of developing communities.

5. FINANCIAL IMPLICATIONS

Water and wastewater advocacy expenditures are funded from user rates and are approved annually as part of the budget process. Waste management advocacy initiatives are funded from the tax levy approved annually as part of the budget process.

Many of the benefits to advocacy work are tangible as it often aids in avoiding unreasonable and unsustainable costs. Proactive advocacy work protects long-term investments by ensuring new or revised policy directives do not have an adverse effect on ongoing work thereby resulting in greater certainty in the provision of future services. For example, the implementation of the *Clean Water Act, 2006* specifies a new regulatory role for York Region to protect drinking water sources through a risk management office. These new duties under the *Act* require significant liaison with the Province to ensure that the program is effective, uses existing resources efficiently, and is not cost prohibitive for municipalities.

Continued proactive advocacy will help the Region realize more cost-savings. Some of these savings will come from reallocating funds and stretching the life of the Region's infrastructure. For example, York Region provides approximately \$1.5 million per year in rebates for high efficiency toilets. Staff have been advocating for the Province to mandate the installation of high efficiency toilets in new construction, which would allow rebate funds to be reallocated to other water efficiency and conservation programs. Additionally, if every new home was built with high efficiency toilets, the expected water savings within York Region is 2.6 million litres per day by 2031, which is the equivalent of over 10,000 residents average water use per day.

6. LOCAL MUNICIPAL IMPACT

Staff continue to engage with local municipalities on issues that have the potential to affect provision of water, wastewater and solid waste management services.

7. CONCLUSION

To ensure favourable results and a level of certainty in provincial and federal policy, it is most effective to provide comments during the development phases of proposed legislation. York Region must remain engaged in early stages of policy development for maximum impact.

By building on a culture of collaboration established through past successful working relationships, staff continue to be successful in reducing costs, minimizing inequitable impacts, and ensuring a more sustainable approach is taken in provincial and federal policy and legislative developments.

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